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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/701,457	08/22/1996	SEIRO YAHATA	960630	5547
23850	7590	03/29/2004	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006			WIMER, MICHAEL C	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

08/701,457

Applicant(s)

YAHATA ET AL.

Examiner

Michael C. Wimer

Art Unit

2821

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 2/10/2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.Claim(s) objected to: none.Claim(s) rejected: 1-5,8-12,14,15,17-29 and 31-36.Claim(s) withdrawn from consideration: none.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet

Michael C. Wimer
Primary Examiner
Art Unit: 2821

Continuation of 5. does NOT place the application in condition for allowance because: the language of Claim 1 can be read on the references of record. Applicant concludes on page 10 of the REMARKS that "the Examiner may not consider the thickness of the core formed of the plurality of the plates in determining which rectangular dimension of the core is longer." However, when applicant changed the terms of the specification to include two meanings, such as, from the longer side "A" (Fig. 1) to a greater dimension, that change allowed a much broader interpretation of the claim language. MPEP 2111, "Claim Interpretation; Broadest Reasonable Interpretation" states that "[D]uring patent examination, the pending claims must be given their broadest reasonable interpretation consistent with the specification." The interpretation is reasonable because the stack of thin plates forming the magnetic core is expressed in claim language as having "a greater rectangular dimension". The end/edge view has a greater rectangular dimension, as does the "view" that applicant uses, i.e., the top view of the core. Either view has "a greater rectangular dimension". If the claims stated that the core is three dimensional, then a "rectangular dimension" (as a cube) would have a "greatest rectangular dimension". But such a clarification was never claimed. Additionally, the claims do not express what view is to be "viewed" in defining the "greater rectangular dimension". The original language of the specification, found at page 5, third paragraph, describes the sides as "the longer side length A" and "the shorter side length B", labeled "A" and "B" in Fig. 1. In the fourth paragraph, applicant changed the "long side" to a "greater dimension" in expressing the conductor winding as being a parallel direction to that side/dimension. Such a characterization allows the reasonable interpretation, not- strained, to be applied to the claims according to MPEP 2111. The term "sides" is reasonably interpreted as a two dimensional relationship and "dimension" is reasonably interpreted as a three dimensional relationship. However, applicant has never made such a clarification. The reasonable interpretation has been applied in the rejections set forth in the final Office action. The rejections stand.

Continuation of 10. Other: It is noted that Claim 12 has been written as if it was amended now (i.e., changing "in" to --an-- as set forth in the previous amendment).